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S. Kline

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF :

Odile Aubrun-SONNEVILLE, et al. :

EXAMINER: A. BERMAN

SERIAL NO: 09/903,606 :

FILED: JULY 13, 2001 :

GROUP ART UNIT: 1617

FOR: WATER-IN-OIL EMULSION AND  
ITS USE AS A COSMETIC

DECLARATION UNDER 37 C.F.R. 1.131

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

I, Jean-Thierry Simonnet, hereby declare:

1. I am a named co-inventor on the above-referenced patent application.
2. Prior to May 29, 2000, and after January 1, 1996, compositions containing an aqueous phase dispersed in an oily phase, and an oligomeric or polymeric emulsifier containing i) a polyolefinic apolar component comprising at least 40 carbon atoms and ii) at least one polar component were prepared in France. The oily phase in these compositions contained hydrocarbon oils present in an amount of at least 40% by weight relative to the total weight of the oily phase.
3. As evidence of such preparation, submitted herewith at Tab A is a true and correct copy of the laboratory notebook pages of my co-inventor, Odile Auburn-Sonneville, describing the preparation of compositions containing the ingredients set forth in paragraph 2 above.

4. The numerical codes set forth on these notebook pages are internal company codes relating to specific ingredients. Compounds G21772 and G21545 are oligomeric or polymeric emulsifiers containing i) a polyolfinic apolar component comprising at least 40 carbon atoms and ii) at least one polar component. Compounds 53743 and 71378 are hydrocarbon oils. Also, in addition to the oligomeric or polymeric emulsifier, compound G21772 contains hydrocarbon oil.

5. Although the dates on which these compositions were prepared have been redacted from the submitted page, all compositions were prepared in France prior to May 29, 2000 and after January 1, 1996.

6. The undersigned petitioner declares further that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

7. Further deponent sayeth not.

Simonnet Jean Thibaut  
Name  
Simonnet  
Signature

June 2, 2003  
Date